

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

RICHARD M. GOODMAN,

NO. 05-11751

Plaintiff,

v.

MASSACHUSETTS DEPARTMENT OF CORRECTION,  
KATHLEEN DENNEHY,  
LUIS SPENCER,  
DANIEL CALIS,  
ANDREW REGO, and  
SCOTT PAIVA,

Defendants.

**JOINT STATEMENT FOR SCHEDULING CONFERENCE**

Pursuant to the Notice of Scheduling Conference dated November 3, 2005, and in accordance with Local Rule 16.1(D), the plaintiff, Richard Goodman (“the plaintiff”), and the defendants, the Massachusetts Department of Correction, Kathleen Dennehy, Luis Spencer, Dania Calis, Andrew Rego and Scott Paiva (“the defendants”) submit the following Joint Statement in connection with the scheduling conference to be held on December 1, 2005.

**I. Introduction**

This is an action for damages pursuant to 42 U.S.C. § 2000e, 42 U.S.C. § 1985, 42 U.S.C. § 1986 and G.L. c. 151B. The plaintiff is Richard Goodman, who at all relevant times was employed by the Massachusetts Department of Correction at MCI-Norfolk. The Defendants are the Department of Correction, Kathleen Dennehy, the Commissioner of Correction, Luis Spencer, the Superintendent of MCI-Norfolk, Daniel Calis, then Captain at

MCI-Norfolk, Andrew Rego, Captain at MCI-Norfolk, and Scott Paiva, Captain at MCI-Cedar Junction.

The plaintiff alleges that the defendants violated his rights because he was denied a day off from work to observe Yom Kippur, and further, that the he was then punished for taking the day off without authorization. The defendants deny all allegations of wrongful conduct, and they deny that the plaintiff is entitled to the relief requested.

## **II. Proposed Agenda for Scheduling Conference**

The parties propose that the following scheduling deadlines set forth in Section III below be adopted by the Court and so ordered.

## **III. Parties' Proposed Pre-Trial Schedule**

### Automatic Disclosures

Counsel have discussed the categories of documents that are available for review by each side, and have agreed to provide such documents by automatic disclosure. The parties propose that initial disclosures, pursuant to Fed.R.Civ.P. 26(a)(1) and Local Rule 26.2(A) be completed by January 30, 2005.

### Discovery Period

The parties propose that all written discovery and depositions be completed by March 30, 2005.

### Experts

Although the parties do not currently anticipate utilizing experts, the parties propose that if experts are to be utilized, the plaintiff shall designate experts and serve expert reports on or before April 30, 2005, and the defendants shall designate and serve expert reports on or before May 15, 2005. All expert depositions will be completed by May 30, 2005.

Dispositive Motions

All dispositive motions shall be filed and served on or before June 30, 2005. All oppositions and replies shall be filed and served in accordance with Local Rule 7.1.

Final Pre-Trial Conference: On or after July 31, 2005.

Trial: On or after August 31, 2005.

**IV. Trial By Magistrate**

The parties are not prepared at this time to consent to trial by a Magistrate Judge.

**V. Alternate Dispute Resolution**

The parties have not participated in the Court's mediation program.

**VI. Certifications**

The parties shall their Certificates of Compliance with Local Rule 16.1.

Dated: November 22, 2005

For the Plaintiff,

/s/ Frank J. McGee  
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For the Defendants,

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/s/ William D. Saltzman  
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CERTIFICATE OF SERVICE

I, William D. Saltzman, counsel for the defendants, hereby certify that on this 22<sup>nd</sup> day of November, 2005, I caused copies of this document to be served by electronic mail and by first class mail, postage prepaid, on Frank McGee, Esq., counsel for the plaintiff.

/s/ William D. Saltzman  
William D. Saltzman